

REMARKS

Applicants thank the Examiner for the thorough examination of the above-mentioned application, and in particular, Applicants appreciate the recognition of allowable subject matter.

The Examiner objected to claims 2-5, 10, 11, 13-18, 22 and 31. Applicants have amended claim 1 to include the limitations of Claim 10 and the intervening claims, and have rewritten claims 13 as an independent claim.

Examiner rejected claim 19 under 35 U.S.C. § 102b as being anticipated by Marcheschi (WO 99/39778). In light of this rejection Applicants have amended claim 19 to include the limitation that a crossbar support mechanism is included which is operatively connected to the crossbar and provides elevational adjustment for the crossbar relative to the first and second side frames. This is not provided by Marcheschi in that the supports are mounted on the frame together with the crossbar member 12. Applicants invention provides an easily usable dumbbell support mechanism which allows for easy vertical and lateral movement and positioning of the dumbbells for multiple exercises as explained in specification.

The Examiner also rejected claims 1, 7, 8 and 12 under 35 U.S.C. § 102b as being anticipated by Hayden (US Patent 4,924,964). Applicants believe that this rejection is moot in light of the amendment claims on 1 and 13.

The Examiner also rejected claims 1, 7-9, 12, 26, 27 and 32-37 under 35 U.S.C. § 103a as being unpatentable over Nielsen (U.S. Patent Appl. No. 09/872,973) in view of Desjardins (U.S. Patent 4,729,561). In light of this rejection, Applicants have amended claim 26 to include the limitation that the crossbar support mechanism is operatively connected to the crossbar providing vertical adjustment to the crossbar relative to the first and second side frames, and that the dumbbell supports are provided as platforms allowing a user to grasp a handle of the dumbbell for lifting.

Nothing in the prior art or the combination referenced by Examiner shows such a combination. In Applicants' invention, the embodiment includes side frames allowing a horizontal crossbar to be moveable vertically upwardly and downwardly relative to the side frames. Meanwhile the crossbar holds lateral platforms which are also laterally moveable relative to the horizontal crossbar. Meanwhile the dumbbell supports are provided as platforms allowing the user to drop the dumbbell on the platform after the exercise has taken place or allowing the user to easily pick up the dumbbell for the exercise to begin.

Rather Nielsen, shows a mechanism provided by a hook which hooks to a bar 20, where the user grasps not just the dumbbell but also the hook as shown in Figures 3 and 4. This is also described in column 6 lines 9-11 where it is indicated that "the weightlifter can then lift the dumbbell 22 and the device, shown in Figure 4 off of the crossbar 20 of the rack, and perform the necessary lifts for his or her training routine". It is beyond belief that any serious weight lifter would use the mechanism shown in Nielsen and perform exercises while at the same time, trying to hold both the dumbbell and the hook in his or her hands. At the same time when the user goes to drop the weights, it is necessary to be able to simply drop the dumbbell on the platform and not have to hold the dumbbell and the hook in one's hands and try to reinstall the hook over the bar. This combination is simply not equivalent to Applicants claimed invention.

For all the above mentioned amendments and remarks Applicants believe that all pending claims are in condition for allowance, and respectfully request early passage thereof.

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Respectfully submitted,



Eric J. Groen, Reg., No. 32,230
BAKER & DANIELS LLP
300 North Meridian Street, Suite 2700
Indianapolis, IN 46204
Telephone: (317) 237-1115
Fax: (317) 237-1000

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Eric J. Groen, Reg. No. 32,230